

U.S. SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 03/04/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NATURAL RESOURCES DEFENSE	:	
COUNCIL, INC.,	:	
	:	
Plaintiff,	:	20-CV-7703 (VEC)
	:	
-against-	:	
	:	<u>ORDER</u>
	:	
U.S. FOOD AND DRUG ADMINISTRATION,	:	
	:	
Defendant.	:	
-----X		

VALERIE CAPRONI, United States District Judge:


WHEREAS on March 4, 2021, the parties appeared for a telephone conference;

IT IS HEREBY ORDERED that for the reasons stated at the conference, the FDA need only produce a *Vaughn* index every second production.

IT IS FURTHER ORDERED that by no later than **Friday, March 12, 2021**, the FDA must propose a reasonable production processing rate. If the types of documents to be disclosed present unique complexities that the FDA believes warrant a processing rate that is slower than what would otherwise seem reasonable, the FDA must include a description of the types of documents at issue and an explanation why such documents require more time to review and process than the norm for review and production of documents in response to FOIA requests for CVM documents.

**SO ORDERED.**

**Date: March 4, 2021**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**